Filed: 01/17/2025

UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

FRONTIER AIRLINES, INC.,)	
Petitioner,)	
v.)	Docket No. 25-1002
UNITED STATES DEPARTMENT)	
OF TRANSPORTATION,)	
Respondent.)	
)	

PETITIONER FRONTIER AIRLINES, INC.'S NON-BINDING STATEMENT OF ISSUES

Pursuant to the Court's January 3, 2025 Order in Case No. 25-1002, Petitioner Frontier Airlines, Inc. (Frontier) hereby submits this non-binding statement of issues presented for review:

1. Whether, the Department of Transportation's (DOT) conclusion that Frontier does not qualify as a "limited incumbent carrier" at Ronald Reagan Washington National Airport (DCA), and is therefore ineligible for the slot exemptions provided to a limited incumbent carrier under 49 U.S.C. § 41718(i)(3), is arbitrary, capricious, an abuse of discretion, contrary to statutory authorization, or otherwise contrary to law under 5 U.S.C. § 706; and

2. Whether DOT's conclusion that Alaska Airlines, Inc. (Alaska) qualifies as a "limited incumbent carrier" at DCA—and consequently awarding Alaska the only slot exemptions provided to a limited incumbent carrier under 49 U.S.C. § 41718(i)(3)—is arbitrary, capricious, an abuse of discretion, contrary to statutory authorization, or otherwise contrary to law under 5 U.S.C. § 706.

Respectfully submitted:

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Counsel for Petitioner Frontier Airlines. Inc.

DATED: January 17, 2025

CERTIFICATE OF SERVICE

I hereby certify that on January 17, 2025, I caused a true and accurate copy of the foregoing Statement of Issues to be served by hand delivery upon the following:

Secretary Pete Buttigieg
United States of America Department of Transportation
Office of the Secretary
1200 New Jersey Ave, SE
Washington, DC 20590

United States of America Department of Transportation Office of the General Counsel 1200 New Jersey Ave, SE Washington, DC 20590

Respectfully submitted:

Filed: 01/17/2025

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